

Appl. No. 09/870,010
Amdt. Dated February 2, 2007
Reply to Office Action of November 20, 2006

Attorney Docket No. 83300.0003
Customer No. 26021

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REMARKS/ARGUMENTS

Minor changes are made to this specification. Claims 1-4 are the independent claim. Claims 1-4 are pending in the application. Reexamination and reconsideration of the application are respectfully requested.

CLAIM REJECTION UNDER 35 U.S.C. § 102

Claims 1 and 3 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over Kusumoto (U.S. Patent No. 6,351,315). Applicant respectfully traverses the rejection herein.

The present invention is directed to a system of managing image data in a network (*see Abstract*). Independent claim 1 of present invention is recited below:

A system of managing image data in a network, comprising: an image input device; an image forming device including storage means for storing image data which is outputted by an external computer, inputted by the image input device,

at least one of the image input device and the image forming device being connected to the network; and a client computer, connected to the network, receives the image data transmitted by the image forming device, for managing the image data stored in the storage means via the network.

The applied reference does not disclose or suggest the above features of the present invention as defined by independent claim 1. In particular, Kusumoto does not disclose or suggest, "an image input device," as required by that claim.

According to the Specification, the "image input device" is, for example, a scanner (*Specification at page 7, lines 1-3*). Here, the image input device is an electronic device that originates and introduces the electronic data of an image in to the network.

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The Office Action at page 2, line 5 of paragraph 2, asserts that the external device interface/connector (90) of Kusumoto as the "image input device" recited in independent claim 1. Applicant respectfully disagrees. Kusumoto at FIG. 3 illustrates the external device interface/connector (90) connecting the copy machine to an external device via a cable. The interface/connector is thus, at best, an input/output port to the copy machine, and not the class of electronic devices taught by the present invention.

An input/output connector cannot reasonably be said to be a device, let alone an image input device such as a scanner. Kusumoto thus does not disclose or suggest features including "image input device" recited in independent claim 1.

Accordingly, independent claim 1 is allowable over Kusumoto. Independent claim 3 reciting similar features as independent claim 1 is also allowable over Kusumoto for at least the same reasons as those of independent claim 1. The allowance of those claims is respectfully requested.

CLAIM REJECTION UNDER 35 U.S.C. § 103

Claims 2 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kusumoto in view of Gase (US. Patent No. 6,184,996). Applicant respectfully traverses the rejection herein.

Independent claim 2 is recited below:

A system of managing image data in a network,
comprising: an image input device; an image forming
device including storage means for storing image data
inputted by the image input device,

at least one of the image input device and the
image forming device being connected to the network; and
a client computer, connected to the network, for managing
the image data stored in the storage means via the
network,

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wherein the image forming device further includes a converter and a network interface; the storage means comprises a binary data storage section for storing the image data as binary data and a text data storage section for storing text data converted from the binary data by the converter; and the network interface includes a software for managing the text data, and transmits the text data stored in the text data storage section to the client computer.

The applied references do not disclose or suggest the above features of the present invention as defined by independent claim 2. First, Kusumoto and Gase do not disclose or suggest, "an image input device," as recited in that claim.

The Office Action at page 3, paragraph 4 asserts the line sensor (17) as the image input device (*Kusumoto FIG. 1, reference element 17*), and the rest of the copier (1) as the image forming device (*Kusumoto FIG. 1, reference element 1*). Applicant respectfully submits that the line sensor is a part of copier and, therefore, cannot fairly be said to be the distinct image forming device as recited in claim 2.

Gase is not seen to remedy the deficiencies of Kusumoto. Accordingly, Kusumoto and Gase do not disclose or suggest that feature of independent Claim 2.

Second, Kusumoto and Gase do not disclose or suggest, "a text data storage section for storing text data converted from the binary data by the converter," as recited in that claim.

The Office Action constructs "text data" recited in the claims as text documents (*Office Action at page 6, lines 3-6*), and therefore, asserts the data of the text file (text document) of Gase as "text data." In short, the Office Action asserts "text data" as determined by its content (text).

The Office Action further constructs "binary data" recited in the claims as text data in binary form (*Office Action at page 4, lines 5-6*).

Theses constructions, however, are inconsistent with the Specification of the present invention. The Specification is clear regarding the intended meaning of the

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terms "text data" and "binary data" recited in the claims, and those terms should be constructed accordingly.

There is no dispute that the image data is the data generated by a scanner scanning an image. The Specification further discloses that the image data can be store in two data formats (*Specification at page 4, paragraph starting with "Since the test data....," lines 4-5*). The first format is the "binary data" format such as a bit map; the second format is the "text data" format such as the HTML format. (*Specification at page 7, paragraph starting with "The storage section 52"*). Here, it is well known by persons skilled in the art that the bit map (bitmap) format is a format that stores information of each pixel of the image (hence the name), and the HTML format is a format that stores each text character, and not bit or pixel. Applicant further notes that it is well known in the art that HTML format stores each text characters in ASCII code.

Applicant further notes that even without the examples provided in the Specification, the terms "text data" and "binary data" are terms of art in the field of copy machines and scanners, and their usage in the present invention is consistent with their meaning in the art.

Furthermore still, Specification at page 7, last paragraph, recites, "The text data section 522 stores text data into which binary data stored in the binary data section 521 is converted by the OCR converter. In the OCR converter, according to well-known technique, binary data of a character image is read by an optical character reader (OCR) so as to be converted into text data."

OCR is a well known technique that converts image data in "binary data" format into "text data" format. A form of OCR has been used by U.S. postal service to sort mails since the 60's. The above citation clearly demonstrates the intended meaning of "text data" is a data format that stores each text character, such as those converted by an OCR process. Here, the Office Action's position - that "text

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data" is the data of all text documents - is inconsistent with the context of the cited paragraph. According to the construction asserted by the Office Action, the character image (scanned image of a text document) is also "text data." The Office Action's position results in the cited passage being constructed as teaching OCR converting the original "text data" (scanned image of a text document) into "text data." Such a construction is clearly unreasonable.

In view of the foregoing, it is clear that the terms "binary data" and "text data" refers to data formats, and not its content (text) as asserted in the Office Action. In particular, "text data" is data stored as text characters such as the HTML or ASCII format, and is not data containing text information as asserted in the Office Action.

Accordingly, Applicant respectfully submits that the Specification is clear regarding the intended meanings of the terms "text data" and "binary data" recited in the claims, and the proper construction of those terms should be the intended meanings delineated above.

Under proper construction, Kusumoto and Gase fail to disclose or suggest storing a scanned text document in a "text data" format such as the HTML format. According, Kusumoto and Gase do not disclose features including "text data" recited in independent Claim 2.

Finally, the Office Action at page 6, second full paragraph, suggests that the text file conversion disclosed by Gase inherently includes the "text data" recited in independent Claim 2. As discussed above, here, "text data" is a data format (that stores each text character, such as the HTML format), not simply data of text as determined by its content.

Gase is directed at a method of queuing text files from scanners to printers. The data send from scanner to a printer is in bitmap or binary data format. The scanned image, whether text files or other image, is in binary data format and can

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be converted to a "text data." Without such a conversion process, the scanned data remains binary data. The scanners prior to the present invention do not distinguish between an image of a text file and other types of image.

Gase is silent regarding data "conversion" of any kind, contrary to the Office Action's assertion. Moreover, Gase is silent about OCR, HTML, and data formats of any kind. Applicant further notes that Gase does not disclose or use the term "text data."

Accordingly, Applicant respectfully submits that the assertion of inherency in Gase, which fails to disclose converting the scanned data from binary data format to text data format, is *impermissible hindsight*.

Ergo, Kusumoto and Gase do not disclose or suggest the features recited in independent claim 2, and that claim is allowable over the applied references. Independent claim 4 reciting similar features as independent claim 2 is also allowable over Kusumoto and Gase for at least the same reasons as those of independent claim 2. The allowance of those claims is respectfully requested.

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CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4600 to discuss the steps necessary for placing the application in condition for allowance.

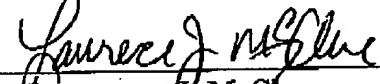
If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: February 2, 2007

By:


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